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Lawsuit at Worcester Paper Delays Times's Sale of The Globe

By NOAM COHEN

Published: October 22, 2013

A Massachusetts judge has temporarily blocked The New York Times Company's planned sale of The Boston Globe and The Worcester Telegram & Gazette to the investor John W. Henry, citing a lawsuit involving the Worcester newspaper and its delivery workers.

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The order by Judge Shannon Frison of Superior Court in Worcester was issued Friday and came just as the Times Company and Mr. Henry were set to complete the purchase. The Times [agreed in early August](#) to sell The Globe and its other New England media properties, including The Telegram & Gazette, for \$70 million as part of its strategy to shed peripheral assets to focus on its core newspaper brand.

The class-action lawsuit that is now preventing the sale was filed in 2009 and involves the work status of the more than 1,000 newspaper carriers at The Telegram & Gazette. Those carriers argue that they were incorrectly classified as independent contractors rather than employees and are owed compensation that they estimate is worth \$60 million.

The news that the sale was being held up was [first reported](#) on The Telegraph Web site Tuesday afternoon.

Lawyers for the carriers said in a statement that their clients "had no desire" of the newspapers. They said they had offered the judge several solutions to allow the sale to go forward, including having the Times Company put the proceeds of the newspapers' sale into escrow or having the company agree to assume responsibility for any judgment against the Worcester newspaper.

Obtaining the injunction, said James Galliher, a lawyer in Fitchburg, Mass., representing the carriers, was meant to ensure that his clients would be able to "collect on a judgment."

On Monday, lawyers for the Times Company asked Judge Frison to lift her injunction; a ruling was expected on Wednesday.


When asked how much money The Times would be willing to set aside to address the carriers' lawsuit, a Times spokeswoman, Abbe Serphos said, "The fair market value of the Telegram & Gazette's assets as ultimately determined by the court."

She added, "We continue to move toward a close."

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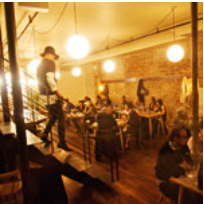


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